

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

To:
BARKER BRETTELL
138 Hagley Road
Edgbaston
Birmingham B16 9PW
UNITED KINGDOM

(PCT Rule 44.1)

Date of mailing (day/month/year)	07/03/2005
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Applicant's or agent's file reference ASW1585	FOR FURTHER ACTION See paragraphs 1 and 4 below
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International application No. PCT/GB2004/004900	International filing date (day/month/year) 20/11/2004
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Applicant JOHN WARD CEYLON (PRIVATE) LIMITED	
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1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the International Application (see Rule 46):

When? The time limit for filing such amendments is normally 2 months from the date of transmittal of the International Search Report; however, for more details, see the notes on the accompanying sheet.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No. 41 22 27 40.14.35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.
3. ☐ **With regard to the protest** against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

- ☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.
- ☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

Shortly after the expiration of **18 months** from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within **19 months** from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until **30 months** from the priority date (in some Offices even later); otherwise, the applicant must, **within 20 months** from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of **30 months** (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

<p>Name and mailing address of the International Searching Authority</p> <p>European Patent Office, P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk Tel. (+31-70) 340-2040, Tx. 31 651 epo nl, Fax: (+31-70) 340-3016</p>	<p>Authorized officer</p> <p style="text-align: center;">Laura Fernández Gómez</p>
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NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the PCT Applicant's Guide, a publication of WIPO.

In these Notes, "Article", "Rule", and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only.

What parts of the international application may be amended?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When?

Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How?

Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Administrative Instructions, Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

1. [Where originally there were 48 claims and after amendment of some claims there are 51]:
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers; claims 30, 33 and 36 unchanged; new claims 49 to 51 added."
2. [Where originally there were 15 claims and after amendment of all claims there are 11]:
"Claims 1 to 15 replaced by amended claims 1 to 11."
3. [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]:
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added." or
"Claims 7 to 13 cancelled; new claims 15, 16 and 17 added; all other claims unchanged."
4. [Where various kinds of amendments are made]:
"Claims 1-10 unchanged; claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added."

"Statement under article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the same time of filing the amendments with the International Bureau, also file a copy of such amendments with the International Preliminary Examining Authority (see Rule 62.2(a), first sentence).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, where upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see Volume II of the PCT Applicant's Guide.

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference ASW1585	FOR FURTHER ACTION see Form PCT/ISA/220 as well as, where applicable, item 5 below.	
International application No. PCT/GB2004/004900	International filing date (day/month/year) 20/11/2004	(Earliest) Priority Date (day/month/year) 31/03/2004
Applicant JOHN WARD CEYLON (PRIVATE) LIMITED		

This International Search Report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This International Search Report consists of a total of 4 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. ☐ With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. ☐ **Certain claims were found unsearchable** (See Box II).

3. ☐ **Unity of invention is lacking** (see Box III).

4. With regard to the **title**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. 4

☒ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International Application No
PCT/GB2004/004900

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 D06N3/00 B29C41/14 B29C41/22 B29C41/20 A41D31/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 B29C D06N A41D B29D A41B A61B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6 475 562 B1 (VOGT KIRKLAND W ET AL) 5 November 2002 (2002-11-05) column 2, line 31 - line 62 column 3, line 26 - line 31 column 7, line 26 - line 28 -----	44-49, 51-54,63
X	GB 717 103 A (METALLGESELLSCHAFT AKTIENGESELLSCHAFT) 20 October 1954 (1954-10-20)	58,62
Y	page 1, line 59 - line 81; figures; examples page 2, line 17 - line 64 page 2, line 114 - line 121 -----	1-43,55, 56,59-61
Y	WO 95/26650 A (ANSELL EDMONT INDUSTRIAL INC) 12 October 1995 (1995-10-12) page 3, last paragraph - page 8, line 2; claims; figures ----- -/--	1-43,55, 56,59-61

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

G document member of the same patent family

Date of the actual completion of the international search

22 February 2005

Date of mailing of the international search report

07/03/2005

Name and mailing address of the ISA

European Patent Office, P.B. 5818 Patentlaan 2
NL - 2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized officer

Pamies Olle, S

INTERNATIONAL SEARCH REPORT

International Application No
PCT/GB2004/004900

C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WO 98/06891 A (W.L. GORE & ASSOCIATES LTD; HALLEY, DAVID, GEORGE; CLARKSON, GEORGE;) 19 February 1998 (1998-02-19) claims 1,22 -----	34,42, 55,56, 59,60
A	WO 01/58656 A (ANSELL HEALTHCARE PRODUCTS INC; WOODFORD, JAMES, MICHAEL, DANIEL; LOO,) 16 August 2001 (2001-08-16) claims 1,2,31,32 -----	1-63
A	US 4 190 685 A (COLLYER, JOHN C ET AL) 26 February 1980 (1980-02-26) claim 1; figures -----	1-63

INTERNATIONAL SEARCH REPORT

Information on patent family members

International Application No

PCT/GB2004/004900

Patent document cited in search report		Publication date	Patent family member(s)	Publication date
US 6475562	B1	05-11-2002	AU 7133301 A	08-01-2002
			BR 0111503 A	24-06-2003
			CA 2405821 A1	03-01-2002
			CN 1436123 T	13-08-2003
			CZ 20030202 A3	13-08-2003
			EP 1296827 A1	02-04-2003
			JP 2004502042 T	22-01-2004
			PL 359647 A1	23-08-2004
			WO 0200431 A1	03-01-2002
			US 2003049432 A1	13-03-2003
GB 717103	A	20-10-1954	DE 882002 C	06-07-1953
WO 9526650	A	12-10-1995	AU 2379095 A	23-10-1995
			WO 9526650 A1	12-10-1995
WO 9806891	A	19-02-1998	AU 715103 B2	13-01-2000
			AU 3947697 A	06-03-1998
			CA 2236090 A1	19-02-1998
			CN 1228821 A ,C	15-09-1999
			DE 69704278 D1	19-04-2001
			DE 69704278 T2	27-09-2001
			EP 0918902 A1	02-06-1999
			ES 2155696 T3	16-05-2001
			WO 9806891 A1	19-02-1998
			GB 2316341 A ,B	25-02-1998
			HK 1006216 A1	31-03-2000
			HU 9903858 A2	28-03-2000
			JP 3401261 B2	28-04-2003
			JP 2001503107 T	06-03-2001
			JP 2002275766 A	25-09-2002
			PL 331519 A1	19-07-1999
			US 2002197924 A1	26-12-2002
WO 0158656	A	16-08-2001	WO 0158656 A1	16-08-2001
			AU 3143001 A	20-08-2001
			EP 1254002 A1	06-11-2002
			JP 2003530236 T	14-10-2003
			US 2003090037 A1	15-05-2003
US 4190685	A	26-02-1980	CA 1097154 A1	10-03-1981
			US 4218779 A	26-08-1980

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/GB2004/004900

International filing date (day/month/year)
20.11.2004

Priority date (day/month/year)
31.03.2004

International Patent Classification (IPC) or both national classification and IPC
D06N3/00, B29C41/14, B29C41/22, B29C41/20, A41D31/00

Applicant
JOHN WARD CEYLON (PRIVATE) LIMITED

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☒ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☒ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

31.01.06



Name and mailing address of the ISA:



European Patent Office
D-80298 Munich
Tel. +49 89 2399 - 0 Tx: 523656 epmu d
Fax: +49 89 2399 - 4465

Authorized Officer

Pamies Olle, S

Telephone No. +49 89 2399-6055



**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2004/004900

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2004/004900

Box No. II Priority

1. ☒ The following document has not been furnished:

☒ copy of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(a)).

☐ translation of the earlier application whose priority has been claimed (Rule 43*bis*.1 and 66.7(b)).

Consequently it has not been possible to consider the validity of the priority claim. This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

2. ☐ This opinion has been established as if no priority had been claimed due to the fact that the priority claim has been found invalid (Rules 43*bis*.1 and 64.1). Thus for the purposes of this opinion, the international filing date indicated above is considered to be the relevant date.

3. ☐ It has not been possible to consider the validity of the priority claim because a copy of the priority document was not available to the ISA at the time that the search was conducted (Rule 17.1). This opinion has nevertheless been established on the assumption that the relevant date is the claimed priority date.

4. Additional observations, if necessary:

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-43, 50,55-57,59-61
	No: Claims	44-49,51-54,58,62,63
Inventive step (IS)	Yes: Claims	
	No: Claims	1-63
Industrial applicability (IA)	Yes: Claims	1-63
	No: Claims	

2. Citations and explanations

see separate sheet

Box No. VII Certain defects in the International application

The following defects in the form or contents of the international application have been noted:

see separate sheet

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/GB2004/004900

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. Reference is made to the following documents:

- D1: GB 717 103 A (METALLGESELLSCHAFT AKTIENGESELLSCHAFT) 20 October 1954 (1954-10-20)
- D2: WO 95/26650 A (ANSELL EDMONT INDUSTRIAL INC) 12 October 1995 (1995-10-12)
- D3: WO 98/06891 A (W.L. GORE & ASSOCIATES LTD; HALLEY, DAVID, GEORGE; CLARKSON, GEORGE;) 19 February 1998 (1998-02-19)
- D4: US-B1-6 475 562 (VOGT KIRKLAND W ET AL) 5 November 2002 (2002-11-05)

2. **Novelty**

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 44-49, 51-54, 58, 62 and 63 is not new in the sense of Article 33(2) PCT.

2.1 Claims 44 and 47 as worded are claims for a product, i.e. a garment material, defined in terms of **a process for producing** the same. The process features apparently can not confer novelty as the particular garment material obtainable by this process in claims 44 and 47 are not clearly identifiable in the end product.

Thus, in examining novelty/inventive step of the subject-matter of claims 44 and 47 as presently worded, the garment material has been interpreted as only having a substrate and a coagulated foamed polymeric layer on it, not further specified. In this respect it is pointed out that a product, such as the garment material in claims 44 and 47, are not rendered novel merely by the fact that it is produced by means of a new process. The product, i.e. its composition or its layer structure as such must be novel over the prior art.

2.2 The features "...having a water vapour permeability..." and "...when subjected to a temperature of ..., holding between 1.0 mg and 8.5 mg of water per cm² of the

garment material" in claims 45, 46, 48, 49 and 51-53 are not structural features of the garment material, but describes the final result achieved therewith and therefore it has no limiting effect on the product. The same applies for the features "arranged to support a substrate", "...arranged to apply foam of a polymeric material" and "...arranged to remove uncoagulated foam..." in claim 58.

- 2.3 The feature in claim 58 "...for producing garment material" is not a structural feature of the apparatus but merely indicates the intended use thereof. This feature has no limiting effect on the structure of the apparatus, since it is not suitable to delimit the apparatus from the prior art.
- 2.4 D4 describes a garment material comprising a textile fabric substrate and a coagulated foamed layer on it, which can penetrate, at least partially, into the fabric (see column 2, lines 31-62; column 3, lines 26-31; column 7, lines 26-28). Since the end product in D4 has the same structure as the one claimed in present claims 44, 47, 51 and 53, both will also have the same properties. Therefore the subject-matter of present claims 44-49, 51-54 and 63 is not novel over D4.
- 2.5 D1 relates to an apparatus comprising a mould, polymer application means (which although not described, could also be for the application of foamed materials) and (foamed) polymer removing means (see figure 1 and page 3, lines 36-74). Therefore the subject-matter of present claims 58 and 62 is not novel over D1.
- 2.6 D1 discloses a process for making a garment material comprising applying a coagulant to a substrate (knitted nylon), applying a polymeric material to this substrate, partially coagulating this polymer and removing uncoagulated polymer by directing compressed air at the substrate (see page 1, lines 59-81; page 2, lines 17-53; example 2 and figure 1). The polymeric material is not foamed.

Therefore the subject-matter of present claims 1-43 is novel and these claims meet the requirements of Article 33(2) PCT.

3. Inventive step

The present application does not meet the criteria of Article 33(1) PCT, because the subject-matter of claims 1-63 does not involve an inventive step in the sense of Article 33(3) PCT.

- 3.1 The document D1 is regarded as being the closest prior art to the subject-matter of claim 1, which differs from this known D1 in that the polymeric material is foamed when applied to the substrate.

At present it is not clear which technical problem is solved by this difference.

Additionally the application of a foamed coagulable polymeric material on a substrate in a process for making garments is already known from D2 (see figure 1 and page 3, line 33 - page 4, line 21).

Therefore it could only be regarded as inventive, if it would lead to a process for making a garment having **unexpected** effects or **non-obvious** advantages over the teaching of D1 in combination with D2. However, such effects or advantages attributable to the use of a foamed coagulable polymer, which would enable an inventive step to be acknowledged, can not be found in the application.

Therefore the solution proposed in claim 1 of the present application cannot be considered as involving an inventive step (Articles 52(1) and 56 EPC).

- 3.2 Dependent claims 2-43, 50, 55-57, 59 and 60 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of novelty and/or inventive step, the reasons being as follows:
- the features of claims 2-4, 10-12, 18, 24-27 and 33 are obvious from D1 (see also example 1 and page 2, lines 114-121).
 - the features of claims 29, 30, 32 are obvious from D2 (see page 5, line 37 - page 6, line 4).
 - the features of claims 34, 42, 55, 56 and 59 are obvious from D3 (see claims 1 and 22).
 - the features of claims 5-9, 13-17, 19-23, 28, 31, 35-41, 43, 50, 57 and 60 are merely some of several straightforward possibilities from which the skilled person

would select, in accordance with circumstances, without the exercise of inventive skill, in order to solve the problem posed.

4. Present claims 1-63 comply with the requirements of Article 33(4) PCT (Industrial applicability).

Re Item VII

Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

1. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the document D1 is not mentioned in the description, nor is this document identified therein.
2. Independent claims are not in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art being placed in the preamble (Rule 6.3(b)(I) PCT) and with the remaining features being included in the characterising part (Rule 6.3(b)(ii) PCT).
3. According to the requirements of Rule 11.13(I) reference signs not appearing in the description shall not appear in the drawings, and vice versa. This requirement is not met in view of the reference sign 118 mentioned on page 21, line 11 of the description.
4. The units of "poise" employed in claim 39 and on pages 6 and 20 are not additionally expressed in terms of the units stipulated by Rule 10.1/(a)/and/(b) PCT.

Re Item VIII

Certain observations on the international application

The following observations on the clarity of the claims, description and drawings or on the question whether the claims are fully supported by the description, are made:

1. Although claims 44, 47, 51, 53, 54 and 56 have been drafted as separate independent claims, they appear to relate effectively to the same subject-matter and to differ from each other only with regard to the definition of the subject-matter for which protection is sought and in respect of the terminology used for the features of that subject-matter. The aforementioned claims therefore lack conciseness and as such do not meet the requirements of Article 6 PCT.
2. Claims 61-63 contain references to the drawings. According to Rule 6.2(a) PCT, claims should not contain such references except where absolutely necessary, which is not the case here.
3. The use of the words "around" and "about" in connection with the limits of a range renders the scope of the disclosure unclear and hence may render the scope of protection obscure (Article 6 PCT), should it be later necessary to back to the description to interpret the claims. These words "around" and "about" should be deleted where used in this context.